REMARKS

Claims 2-4, 7-18, and 21-30 remain pending in the present application.

Rejections under 35 U.S.C. 103(a) over McGinty et al. in view of Blades et al.

Claims 2-4, 7-18, and 24-30 stand rejected under 35 U.S.C. §103(a) as obvious in view of either McGinty et al. (U.S. Patent No. 6,010,970) or alternatively over Harriss et al. (WO 98/39509) in view of Blades et al. Applicants traverse these bases for rejection and respectfully request reconsideration and withdrawal thereof.

Initially, Applicants direct attention to the fact that Harriss et al. claims priority to U.S. Patent Application no. 08/811,645, which is also the parent application of McGinty et al. While McGinty et al. is a continuation-in-part of the parent application, it appears that the disclosure relied upon by the Examiner in the outstanding rejection is identical in both McGinty et al. and Harriss et al. As such, Applicants will address the deficiencies of both base references by referring to only Harriss et al., as it has the earlier publication date. Applicants' comments should be deemed to apply equally to McGinty et al.

As cited by the Examiner, Harriss et al. disclose in Comparative Example 1 the spinning of plexifilamentary webs of high-density polyethylene (PE) from a mixed pentane/cyclopentane spin agent. The spinning fluid contained 18.7 wt% PE and the spinning temperature was 185°C (p. 17, lines 23-32). Harriss et al. fail to disclose or suggest spinning plexifilamentary webs of PE at the temperatures set forth in the present claims, i.e. from about 205°C to about 220°C (claims 28-30).

To cure this deficiency of Harriss et al. (and McGinty et al.), the Examiner cites Blades et al. at column 13, lines 15-60, wherein spinning of plexifilamentary strands from solutions of PE in a methylene chloride spin agent, at temperatures from 190°C to 216°C is disclosed. The Examiner argues that the skilled artisan would have been motivated to modify the teachings of Harriss et al. as to spinning temperature in view of the Blades et al. disclosure of higher spinning temperatures to obtain plexifilamentary webs having "opacity, smoothness, softness, quietness, and strength". Applicants traverse the Examiner's finding for several reasons.

First, Blades et al. disclose that the strands so formed are "well-suited for the production of high quality woven or knitted fabrics" (col. 13, lines 57-60). In contrast, claims 29 and 30 are directed to nonwoven fabrics. Accordingly, it is arguable that

the cited portion of Blades et al. is improperly combined with Harriss et al. and McGinty, as a disclosure as to woven or knitted fabrics would be immaterial to nonwoven fabrics.

Second, in spite of the Blades et al. disclosure of possible suitable spinning temperatures, some of which are within the scope of the present claims, Applicants respectfully submit that the skilled artisan would only have been motivated to use the lowest suitable temperature above that disclosed in the base reference (190°C), in order to save considerable costs on energy, which would be necessary to heat the spinning beams of Harriss et al. to the higher temperatures, and since there appears to be no differentiation in the beneficial properties cited by the Examiner (softness, strength, opacity, etc.) between the various materials spun at different temperatures in Table IV of Blades et al. That is, why would the skilled artisan be motivated to use more energy than necessary to obtain the desired result?

Third, the Examiner's attention is directed to the fact that the spin agent of Blades et al. is methylene chloride. In contrast, the spin agent of Harriss et al. (and of the present application) is a mixed pentane/cyclopentane spin agent. Those skilled in the art of flash spinning are well aware that the spinning temperature is greatly dependent upon the nature of the spin agent, and as such that suitable parameters for flash spinning with one spin agent are not necessarily freely-transferable to flash spinning with a completely different spin agent. Certainly, the chlorinated spin agent of Blades et al. is vastly different in properties from the saturated hydrocarbons of Harriss et al. In support, the Examiner's attention is directed to the spinning conditions set forth in Blades et al. for use with Freon®-11, Examples XVI to XVIII (cols. 16-17), having spinning temperatures of 179°C, 166°C, and 165°C, respectively.

Accordingly, the skilled artisan would not have had any expectation of success in drastically increasing the Harriss et al. spin temperatures, i.e. from 185°C for PE in pentane/cyclopentane, to between about 205°C and 220°C (as claimed herein), based upon the Blades et al. disclosure of spinning temperatures for flash spinning PE in a methylene chloride spin agent.

Withdrawal of the rejection based upon failure to establish a *prima facie* case of obviousness is requested.

Rejections under 35 U.S.C. 103(a) over McGinty et al. in view of Blades et al. and further in view of Bisbis et al.

Claims 21-23 stand rejected under 35 U.S.C. §103(a) as obvious in view of either McGinty et al. (U.S. Patent No. 6,010,970) or alternatively over Harriss et al. (WO 98/39509) in view of Blades et al. and further in view of Bisbis et al. Applicants traverse these bases for rejection and respectfully request reconsideration and withdrawal thereof.

In view of the impropriety of the rejection over McGinty et al. or Harriss et al. in view of Blades et al., as set forth above, Applicants respectfully submit that Bisbis et al. fails to provide any further motivation to cure the deficiencies of the other cited references as to the present claims.

Withdrawal of the rejection is requested.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,

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